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10/635,563	08/07/2003	Carol A. Fredrickson	72167.000403	9857

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EXAMINER

TRAN, HAI

ART UNIT	PAPER NUMBER
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3694

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07/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,563

Applicant(s)

FREDRICKSON ET AL.

Examiner

HAI TRAN

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-23, 27, 30-34, 36-38, 42 and 45-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23, 27, 30-34, 36-38, 42 and 45-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Acknowledgements

1. The examiner for this application has changed. Please indicate Examiner Hai Tran as the examiner of record in all future correspondences.
2. This is the **Final Action** in response to the Amendment/Remarks filed on April 7, 2008 for application, titled: "International and Domestic Collection System".
3. Claims 21 and 36 have been amended. Claims 25, 26, 35, 40, and 50 have been cancelled. Claims 1-20, 24, 28, 29, 39, 43, and 44 had been cancelled from previous responses.
4. Accordingly, claims 21-23, 27, 30-34, 36-38, 42, and 45-49 remain pending in this application and have been examined.

Priority

5. This application claims the benefit of U.S. Provisional Patent Application No. 60/402,292, filed on 08/09/2002.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 21-23, 27, 30-34, 36-38, 42, and 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kern (US Patent No. 5,349,170) in view of Copeland III, et al. (US Patent No. 5,784,610), Wagner, et al. (US Patent No. 5,424,938), Baron (US Patent Application Publication No. 2004/0201735), and the Admitted Prior Art (APA) in the Background section of the Application.

Response to Arguments

8. Applicant's arguments filed 04/07/2008 have been fully considered but they are not persuasive.

a). Applicant argues that Kern reference does not teach “user initiates scanning method” and “wherein scanning comprises scanning with a check scanner if the incoming collection item is a check and scanning comprises scanning with a flatbed scanner if the incoming collection item is not a check” (see Applicant's Remarks, page 9, first paragraph).

- The Examiner disagrees. With respect to “user initiates scanning method”, the Examiner would like to point Applicant to Kern reference, column 5, lines 31-33 where it says “The operator places the tray block into an automatic document feeder of the document processor unit and begins operation”. This is clearly an operator initiate method.

- With respect to “using a check scanner if item is a check; otherwise, use a flatbed scanner if item is not a check”. The Examiner notes that this argument has been addressed in the previous Office Action, issued on 1/14/2008 (see page 5, second and

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third paragraphs and page 12, second paragraph). Third paragraph of page 5 clearly says “However, Kern does not explicitly disclose that the non-check documents may be scanned with a flatbed scanner. The Examiner took Official Notice in the Office Action mailed January 16, 2007 that it was old and well known in the art at the time the invention was made to utilize a flatbed scanner for the purpose of scanning images of documents. As Applicant failed to traverse this assertion in the subsequent response on June 18, 2007, it is found to be Admitted Prior Art (APA). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to use a flatbed scanner in order to scan and collect images of documents of a size not compatible with the standard scanner of Kern, as taught by the APA.” The Examiner believes the Applicant’s argument has been clearly addressed.

b). Applicant argues that Kern reference does not teach “user initiates endorsing a collection item, such as a check”, and further argues that Kern does not teach “any interaction by the user in the endorsement process” (see Remarks, page 9, second paragraph).

- The Examiner disagrees. The Examiner notes that Kern’s invention does allow operator interaction (see col. 5, line 31; col. 6, line 57; col. 7, line 26; col. 11, line 33 & 62; col. 12, line 36; col. 13, line 28, etc.). Kern teaches a system and method for imaged-based document process including the endorsing process, but is silent as to how the endorsing process is initiated and that it is well known that the process would be initiated either manually by a user or automatically by a processor and the result would be the same and a person of ordinary skill in the art would have recognized that

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only two ways to initiate the process are known would choose the one desired.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kern's process to allow a user to initiate the endorsing process and as the modification is from automatic to manual, no unpredicted results would be expected.

c). Applicant argues that Kern reference does not teach "user initiate saving process" and that Kern's process is automatic for image processing and saving (see Remarks, page 10, second paragraph).

- The Examiner disagrees. The Examiner notes that Kern's invention does allow operator interaction (see col. 5, line 31; col. 6, line 57; col. 7, line 26; col. 11, line 33 & 62; col. 12, line 36; col. 13, line 28, etc.). Kern teaches a system and method for imaged-based document process including the saving process, but is silent as to how the saving process is initiated and that it is well known that the process would be initiated either manually by a user or automatically by a processor and the result would be the same and a person of ordinary skill in the art would have recognized that only two ways to initiate the process are known would choose the one desired. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kern's process to allow a user to initiate the saving process and as the modification is from automatic to manual, no unpredicted results would be expected.

d). Applicant argues that Kern reference does not disclose "a check scanner", and that the secondary Copeland reference does not disclose the same "check scanner" as the claimed invention (flatbed scanner). Applicant argues that Copeland

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discloses a check scanner that reads MICR information; whereas, the claimed invention discloses a scanner that reads "machine readable code". MICR is a subset of this type of code (see Remarks, page 10, third paragraph).

- The Examiner disagrees. Kern teaches a system and method for imaged-based document process including the scanning processor, but is silent on the specific check scanner. Copeland teaches a system and method for processing, scanning and storing checks with a check scanner, but is silent on the specific flatbed scanner and its characteristics. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Copeland to use a flatbed check scanner with the same characteristics as the claimed invention and combine it with Kern to offer an improved system to customers and as the modification is only to switch to different scanner with different characteristics and as both of them are well known and available in the market, no unpredicted results would be expected. The Examiner also would like to point out that this argument has already been addressed in the Office Action, issued on 1/14/2008 (see page 5, third paragraph and second paragraph, page 12).

e). Applicant argues that Baron reference teaches a "first in, last out" type of queue for data arrangement; whereas, the claimed invention uses "first in, first out" type of queue. Applicant also argues that Baron is not in the same field as the claimed invention. Baron is directed towards the digital cameras field; whereas, the claimed invention is directed towards "the storage of image data relating to the management of collection data." (see Remarks, page 12, second paragraph).

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- The Examiner disagrees. With respect to the type of queue, Kern teaches a system and method for imaged-based document process, but is silent on the queue for data arrangement. Baron teaches a system for image storage queue including the “first in, last out” queue for data arrangement, but is silent on the “first in, first out” queue. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baron to use the “first in, first out” type of queue for data arrangement and combine it with Kern to offer an improved system to customers and as the modification is only to switch to using different type of queue, no unpredicted results would be expected.

- With respect to the argument that Baron is in different field and cannot be used as a prior art, the Examiner notes that this argument has been addressed in the Office Action, issued on 9/21/2007, paragraph 17 of page 11. Therefore, the Examiner will not repeat the explanation here.

f). Applicant argues that Baron teaches “user initiated action” to delete the archived units of work from database; whereas, the claimed invention teaches that “the unit of work is deleted from the database following the archiving process, no user action is required to delete” (see Remarks, page 13, first paragraph).

- The Examiner disagrees. Kern teaches a system and method for imaged-based document process. Baron teaches a system for image storage queue including user initiate action to delete archive units of work from database, but is silent on the automatic delete function and that it is old and well known in the art to automate a manual process function using a processor. Automating manual processes speeds

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process and increases accuracy over manual processes. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baron to include the automatic delete function by providing a processor and combine it with Kern to offer an improved system to customers and as the modification is well known in the art (from manual to automatic), no unpredicted results would be expected.

g). Applicant argues that Kern and APA do not teach the specific types of collection items as recited in amended claims 21 and 36 (see Remarks, page 13, second paragraph).

- The Examiner disagrees and draws the attention to the Office Action, issued on 1/14/2008, second paragraph of page 9. The Examiner interprets that “incoming, outgoing, foreign, domestic, and/or on-us collection items” are the same as the specific collection items in the amended claims. Therefore, the Examiner believes this argument has been addressed in the Office Action and the rejection for this limitation is valid and hence the rejection remains stayed.

In conclusion, the Examiner believes that all the elements the Applicant argued in the Remarks are disclosed in the references regardless the element or function is automatic or manual; it would produce the same result. The Examiner is satisfied that a combination of the references discloses Applicant’s invention as claimed. It is further the determination of the Examiner that the previous rejections are valid and hence they remain stayed.

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9. **Regarding claims 21 and 36**, Kern discloses a computer method and system for processing international and domestic collection items (Figure 1 and Abstract), the method comprising:

- receiving a plurality, of collection items and documents accompanying the collection items (Figure 1 and column 3, line 21 – column 4, line 28);
- sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines 41-45);
- scanning the collection item to create an image of the collection item (column 5, lines 26-38);
- determining if any machine-readable code exists on the collection item (column 5, line 26-60);
- if any machine-readable code is determined to exist on the collection item, reading that code by machine (column 5, line 26 – column 6, line 20);
- determining if the collection item needs to be endorsed, endorsing the collection item, if necessary and scanning the endorsed collection item to create an image of the endorsed collection item (column 5, line 26-60);
- thereafter scanning any documents accompanying the collection item to create an image for each accompanying document (column 5, line 26 – column 6, line 20);
- saving by the user the scanned collection item, the scanned endorsed collection item, if any, the code readout, if any, and each scanned accompanying

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document in a database (column 4, lines 29-35, and column 5, line 61 – column 6, line 20);

- displaying a balance and distribution screen at a user display (item 50c in Figure 14; and column 15, line 38 – column 16, line 3); and
- distributing funds and balancing accounts of processed collection items (column 15, lines 38-53).

As noted above, Kern teaches sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines 41-45). However, Kern does not explicitly teach that the predetermined collection item type includes international collections item types and domestic collections item types.

The APA discloses that collection items are typically categorized (i.e. sorted) according to the various known types, such as incoming, outgoing, foreign, domestic, and/or “on-us” collection items, etc. (paragraph 03) for the purpose of determining the appropriate procedures to follow when processing the items (paragraph 04). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to sort collection items according to particular type in order to properly process the collection item, as taught by the APA.

Kern also teaches that a transaction is constituted by the several documents associated with the transaction (column 4, line 17-28). However, Kern does not explicitly disclose saving the scanned items and data as a unit of work and designating each unit of work a searchable unique database index key, or retrieving a unit of work

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from the database and displaying selected images from the unit of work at a user display connected to a client.

Copeland, in an analogous art, discloses a system for processing, scanning and storing checks (Figure 2 and Abstract) including receiving information from one or more scanners and associating the collection item and any associated documents together as an image-based unit of work (column 5, lines 11-35 and column 10, lines 55-65) and designating each unit of work a searchable unique database index key (column 11, lines 63-67), for the purpose of making the optimum use of image technology capabilities and providing maximum ease of use (column 2, lines 59-62). Copeland further discloses a database to store the scanned and extracted information (column 7, line 61 – column 8, line 2) so as to be retrievable on a unit of work basis and displayed on a workstation display (column 14, lines 54-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to associate related scanned data as a unit of work designated by a unique identifier, and making the data retrievable on a unit of work basis for display, in order to make optimum use of the image technology capabilities and provide maximum ease of use, as taught by Copeland.

As noted above, Kern discloses the use of a high-speed document processor (item 32 in Figure 1, and column 5, lines 25-30). However, Kern does not explicitly disclose that the document processor includes a check scanner. Copeland further discloses the use of a check scanner operable to read MICR information for scanning checks (item 37 in Figure 2B).

Kern, as noted above, discloses scanning in documents associated with a transaction (column 5, line 26 – column 6, line 20). Kern further discloses that documents that can't be handled are sorted to a reject pocket for handling by conventional reentry procedures (column 5, lines 55-60). However, Kern does not explicitly disclose that the non-check documents may be scanned with a flatbed scanner. The Examiner took Official Notice in the Office Action mailed January 16, 2007 that it was old and well known in the art at the time the invention was made to utilize a flatbed scanner for the purpose of scanning images of documents. As Applicant failed to traverse this assertion in the subsequent response on June 18, 2007, it is found to be Admitted Prior Art (APA). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to use a flatbed scanner in order to scan and collect images of documents of a size not compatible with the standard scanner of Kern, as taught by the APA.

Kern further discloses inputting and saving processing data to the client regarding the collection item (column 14, line 48 – column 16, line 3), including the amount of the collection item (column 15, lines 17-25). However, Kern does not explicitly disclose automatically filling processing data into a processing display relating to the collection item if the processing data were stored in the database, or inputting processing data including: the party to whom payment of the collection item will be made, the party that issued the collection item, and the method by which payment of the collection item is to be settled. Kern further does not explicitly disclose processing

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payment of collection items or a server configured to provide an interface with external systems.

Wagner, in an analogous art, discloses a method and apparatus for providing access to a plurality of payment networks (Figure 1 and Abstract) including accepting input from the user (Figures 3-10 and column 2, lines 40-53), and performing processing of the collection item in accordance with the user's input (column 2, lines 40-53) for the purpose of providing a display interface to initiate and complete monetary transfers using a variety of payment networks (column 2, lines 27-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Kern process a collection item based on the user's input in order to enable the user to selectively process the collection item on a specified payment network.

Wagner further discloses automatically filling input fields with previously stored data (column 6, lines 1-18) for the purpose of expediting and facilitating the entry of repetitive data previously entered and stored. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kern to automatically populate input fields with stored information in order to expedite and facilitate the entry of such information.

Wagner also discloses generating a payment screen (Figures 3-10 and column 6, lines 1-18), the payment screen accepting input relating to (a) the party to whom payment is to be made, (b) the party that issued the collections item, (c) the amount of the payment, and (d) the method of payment (Figure 3), the payment screen providing means for the user to commit a payment so as to save data entered through the payment screen (column 7, lines 44-56). Wagner further discloses providing a network

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interface between the central computer and the external payment networks. (Figure 1 and column 3, line 59 – column 4, line 50).

Kern further does not explicitly disclose a server to create queues for storing data to be used during processing of the collection items and dynamically track and update the status of the queues, provide an interface with external systems, and access unit of work data stored in the database whereby the data from the database are available to the client and interface with external systems.

Baron discloses an image storage queue (Figure 3, paragraph 0032) including creating queues for storing data to be used during processing of the system (paragraph 0013), and dynamically tracking and updating status of the queues (paragraphs 0018 and 0025) for the purpose of efficiently managing the storage space available in the memory storage unit (item 106 in Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to incorporate a queue for storing image data in order to better manage the available storage space in the database.

10. **Regarding claims 22-23 and 37-38**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Wagner further discloses a method and apparatus including external interfaces for providing access to a plurality of payment networks, such as FEDWIRE, ACH, SWIFT or CHIPS, which includes a network interface to communicate with the payment networks (Figure 1 and column 3, line 59 – column 4, line 28) for the purpose of

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providing a display interface to initiate and complete monetary transfers using the variety of payment networks (column 2, lines 27-37) according to the particular method of payment. Therefore, it would have been obvious to one of ordinary skill in the art to modify Wagner to include external interfaces with FEDWIRE, CHIPS and SWIFT in order to enable the user to selectively process the collection item on a specified payment network, as taught by Wagner.

11. **Regarding claims 25-26 and 40-41**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern teaches sorting and indexing each received collection item in accordance with a predetermined collection item type (column 5, lines 6-25 and lines 41-45). However, Kern does not explicitly teach that the predetermined collection item type includes international collections item types and domestic collections item types.

The APA discloses that collection items are typically categorized (i.e. sorted) according to the various known types, such as incoming, outgoing, foreign, domestic, and/or "on-us" collection items, etc. (paragraph 03) for the purpose of determining the appropriate procedures to follow when processing the items (paragraph 04). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kern to sort collection items according to type in order to properly process the collection item, as taught by the APA.

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12. **Regarding claims 27, 34, 42 and 49**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern discloses scanning and storing the documents associated with transactions (column 4, lines 17-21 and column 5, line 26 – column 6, line 20). Additionally, as noted above, Copeland discloses assigning data a searchable unique database index key (column 11, lines 63-67).

13. **Regarding claims 30-31 and 45-46**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Kern further discloses that packets of images stored in the storage and retrieval unit may include an identifying header identifying the data by MICR data or sequence number (column 6, lines 1-20).

14. **Regarding claims 32 and 47**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. As noted above, Kern further discloses inputting and saving processing data to the client regarding the collection item, such as routing number, check number, etc. (Figures 17-19, and column 14, line 48 – column 16, line 3).

15. **Regarding claims 33 and 48**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Kern further discloses a balance and distribution module (item 50c in Figure 14) that effects

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payment and account balancing for the payment processed collection item (column 15, lines 38-53), the balance and distribution module being operable to cause the user interface module to generate a balance and distribution screen to allow the user to distribute funds and balance accounts of processed collection items and to allow the user to create deposit tickets (Figure 20 and column 15, line 54 – column 16, line 57).

16. **Regarding claims 35 and 50**, the combination of Kern, Copeland, Wagner, Baron and the APA teaches the limitation of claims 21 and 36, respectively. Baron further teaches uploading information stored in the database to an archive after a predetermined period of time (paragraph 0027) for the purpose of ensuring adequate storage space in the memory storage unit for new images by archiving older data (paragraph 0015).

Conclusion

17. Claims 21-23, 27, 30-34, 36-38, 42, and 45-49 are rejected.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAI TRAN whose telephone number is (571)272-7364. The examiner can normally be reached on M-F, 9-4 PM.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/H. T./
Examiner, Art Unit 3694

/Mary Cheung/
Primary Examiner, Art Unit 3694